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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92046058
Party	Plaintiff Masimo Corporation
Correspondence Address	DIANE M. REED KBOBBE, MARTENS, OLSON & BEAR, LLP 2040 MAIN STREET, 14TH FLOOR IRVINE, CA 92614 UNITED STATES efiling@kmob.com, shalpern@kmob.com
Submission	Withdrawal of Cancellation
Filer's Name	Diane M. Reed
Filer's e-mail	efiling@kmob.com
Signature	/Diane M. Reed/
Date	11/11/2010
Attachments	MASIMOT.068CNWD.pdf (2 pages)(78328 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Masimo Corporation,

Opposer,

v.

Medtronic, Inc.,

Applicant.

Medtronic, Inc.,

Counter-Claim Petitioner,

v.

Masimo Corporation,

Counter-Claim Respondent.

Cancellation Nos.: 92046058 and 92046064

I hereby certify that this correspondence and all marked attachments are being electronically filed with the Trademark Trial and Appeal Board of the U.S. Patent and Trademark Office through their website located at <http://esta.uspto.gov> on:

11/11/2010
(Date)

Diane M. Reed

**STIPULATED MOTION TO WITHDRAW CONSOLIDATED CANCELLATION
PROCEEDINGS AND COUNTERCLAIM FOR CANCELLATION**

Commissioner for Trademarks
2900 Crystal Drive
Arlington, VA 22202-3514

Dear Sir:

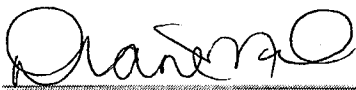
In light of the settlement agreement executed by the parties, Masimo Corporation, by and through its counsel and Medtronic, Inc., by and through its counsel, respectfully request that the above-captioned consolidated cancellation proceedings against Registration Nos. 2,916,730 and 2,968,680 be withdrawn without prejudice.


The parties also respectfully request that Medtronic, Inc.'s Counterclaim for cancellation against Registration No. 2,834,864 be withdrawn with prejudice.

Respectfully submitted,

Knobbe Martens Olson & Bear, LLP

Fredrikson & Byron, P.A.

By: 
Diane M. Reed
2040 Main Street, 14th Floor
Irvine, CA 92614
Attorney for Masimo Corporation

By: 
Dean R. Karau
200 South Sixth Street, Suite 4000
Minneapolis, MN 55402-1425
Attorney for Medtronic, Inc.

Dated: 11/11/2010

Dated: 11/10/2010